

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA

and

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION,

Plaintiffs,

v.

KPMG SIDDHARTA SIDDHARTA & HARSONO,

and

SONNY HARSONO,

Defendants.

Civil Action
No.01-CV _____

FINAL JUDGMENT OF PERMANENT INJUNCTION
AS TO DEFENDANT KPMG SIDDHARTA SIDDARTA & HARSONO

Defendant KPMG SIDDARTA SIDDARTA & HARSONO ("KPMG-SSH") having (i) entered a general appearance; (ii) consented to the Court's jurisdiction over Defendant and the subject matter of this action; (iii) without admitting or denying the allegations of the Complaint, consented to entry of this Final Judgment without further notice; (iv) waived findings of fact and conclusions of law; and (v) waived any right to appeal from this Judgment, it is now

ORDERED, ADJUDGED AND DECREED that Defendant KPMG-SSH, and its officers, agents, servants, employees, attorneys-in-fact, and those persons in active concert or participation with it who receive actual notice of this Final Judgment, are permanently restrained and enjoined from:

(a) violating and aiding and abetting a violation of Sections 104A(a)(1), (2) and (3) of the Foreign Corrupt Practices Act of 1977 [15 U.S.C. § 78dd-3(a)(1), (2) and (3)], and Section 30A(a)(1), (2) and (3) [15 U.S.C. § 78dd-1(a)(1), (2) and (3)], of the Securities Exchange Act of 1934, by, directly or indirectly, making use of the mails or any means or instrumentalities of interstate commerce corruptly in furtherance of an offer, payment, promise to pay, or authorization of the payment of any money, or offer, gift, promise to give, or authorization of the giving of anything of value to--

(1) any foreign official for purposes of--

(A) (i) influencing any act or decision of such foreign official in his official capacity, (ii) inducing such foreign official to do or omit to do any act in violation of the lawful

duty of such official, or (iii) securing any improper advantage; or

(B) inducing such foreign official to use his influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality,

in order to assist such domestic concern in obtaining or retaining business for or with, or directing business to, any person;

(2) any foreign political party or official thereof or any candidate for foreign political office for purposes of--

(A) (i) influencing any act or decision of such party, official, or candidate in its or his official capacity, (ii) inducing such party, official, or candidate to do or omit to do an act in violation of the lawful duty of such party, official, or candidate, or (iii) securing any improper advantage; or

(B) inducing such party, official, or candidate to use its or his influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality,

in order to assist such domestic concern in obtaining or retaining business for or with, or directing business to, any person; or

(3) any person, while knowing that all or a portion of such money or thing of value will be offered, given, or promised, directly or indirectly, to any foreign official, to any foreign political party or official thereof, or to any candidate for foreign political office, for purposes of--

(A) (i) influencing any act or decision of such foreign official, political party, party official, or candidate in his or its official capacity, (ii) inducing such foreign official, political party, party official, or candidate to do or omit

to do any act in violation of the lawful duty of such foreign official, political party, party official, or candidate, or (iii) securing any improper advantage; or

(B) inducing such foreign official, political party, party official, or candidate to use his or its influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality,

in order to assist such domestic concern in obtaining or retaining business for or with, or directing business to, any person.

(b) violating Section 13(b)(2)(A) [15 U.S.C. § 78m(b)(2)(A)], of the Securities Exchange Act of 1934, directly or indirectly, by, with respect to any issuer which has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or any other issuer which is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)], aiding and abetting the issuer's failure to make and keep books, records and accounts, which, in reasonable detail,

accurately and fairly reflect the transactions and dispositions of the assets of the issuer.

(c) violating Section 13(b)(2)(B) [15 U.S.C. § 78m(b)(2)(B)], of the Securities Exchange Act of 1934, directly or indirectly, by, with respect to any issuer which has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or any other issuer which is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)], aiding and abetting the issuer's failure to devise and maintain a system of internal accounting controls sufficient to provide reasonable assurances that—

(i) transactions are executed in accordance with management's general or specific authorization;

(ii) transactions are recorded as necessary (I) to permit preparation of financial statements in conformity with generally accepted accounting principles or any other criteria applicable to such statements, and (II) to maintain accountability for assets;

(iii) access to assets is permitted only in accordance with management's general or specific authorization; and

(iv) the recorded accountability for assets is compared with the existing assets at reasonable intervals and appropriate action is taken with respect to any differences.

ORDERED, ADJUDGED AND DECREED that the annexed Consent be, and the same hereby is, incorporated herein by reference with the same force and effect as if fully set forth herein.

There being no just reason for delay, the Clerk is hereby ordered, pursuant to Rule 54(b) of the Federal Rules of Civil Procedure, to enter this Final Judgment without further notice.

SO ORDERED, this ____ day of _____, 2001.

UNITED STATES DISTRICT JUDGE